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HOMEOWNERS ASSOCIATION*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 NATIONAL DEFAULT SERVICING
13 CORPORATION,

14 Case Number:
15 2:22-cv-01027-MMD-EJY

16 Plaintiff,

17 vs.

18 VICTOR MAESTAZ, an unmarried man;
19 REAL TIME RESOLUTIONS, INC., a
20 Foreign Corporation; THE BANK OF NEW
21 YORK MELLON FKA THE BANK OF
22 NEW YORK, AS SUCCESSOR TRUSTEE
23 TO JPMORGAN CHASE BANK, N.A., AS
24 TRUSTEE, ON BEHALF OF THE
25 CERTIFICATEHOLDERS OF THE
26 CWHEQ INC., CWHEQ REVOLVING
27 HOME EQUITY LOAN TRUST, SERIES
28 2006-H, a Foreign Business Corporation;
1 BELLE ESPRIT HOMEOWNERS
2 ASSOCIATION, a Domestic Nonprofit
3 Corporation; INTERNAL REVENUE
4 SERVICE, a Government Agency; and
5 DOES 1 through 10 and ROE BUSINESS
6 ENTITIES 1 through 10, inclusive,

7 **STIPULATION REGARDING THE
DISTRIBUTION OF THE EXCESS
PROCEEDS ON DEPOSIT WITH THE
COURT**

8 Defendant.

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10 IT IS HEREBY STIPULATED AND AGREED by and between the remaining parties
11 to this action: Defendant Belle Esprit Homeowners Association (“HOA”); Defendant United
12 States on behalf of the Internal Revenue Service (“IRS”); and Defendants Real Time
13 Resolutions, Inc. and The Bank Of New York Mellon fka The Bank Of New York, as
14 Successor Trustee to JPMorgan Chase Bank, N.A., as Trustee, on behalf of the Certificate
15 holders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2006-H
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1 ("BANK") (collectively "PARTIES" or "PARTY"), by and through undersigned and
 2 respective counsel of record, hereby stipulate and agree as follows:

3 **IT IS HEREBY STIPULATED AND AGREED** that the IRS, HOA and BANK are
 4 the remaining parties to this action;

5 **IT IS HEREBY STIPULATED AND AGREED** that each of the PARTIES have valid
 6 legitimate claims to the ONE HUNDRED TWENTY THREE THOUSAND THREE
 7 HUNDRED NINE DOLLARS AND EIGHTY-SIX CENTS (US \$123,309.86) that was cash
 8 deposited with the Court by the Plaintiff ("DEPOSITED FUNDS"), who was previously
 9 released and discharged from this action;

10 **IT IS HEREBY STIPULATED AND AGREED** that the PARTIES have agreed to a
 11 resolution and settlement of their respective allegations and defenses at issue herein;

12 **IT IS HEREBY STIPULATED AND AGREED** that the DEPOSITED FUNDS shall
 13 be released and disbursed to the PARTIES based on a pro-rata basis of their respective
 14 monetary claims as follows:

PARTY	Monetary Claim (Principal Amount)	Pro-Rata Amount to be Released / Disbursed out of the \$123,309.86
IRS	\$24,452.43	\$19,799.14
HOA	\$17,838.35	\$14,443.71
BANK	\$110,000.00	\$89,067.01

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1 IT IS HEREBY STIPULATED AND AGREED that after the DEPOSITED FUNDS
2 are released and disbursed to the PARTIES, there are no other outstanding issues or claims to
3 be resolved or need be addressed by the Court; and, thus, this action may be closed.
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5 Dated 27th day of January 2023

6 MARQUIS AURBACH

7

8 /s/Cody S. Mounteer, Esq.

9 Cody S. Mounteer, Esq.
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11 10001 Park Run Drive
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12 *Attorneys for BELLE ESPRIT
13 HOMEOWNERS ASSOCIATION*

14 /s/J. Stephen Dolembo, Esq.

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18 Resolutions, Inc. and The Bank Of New
19 York Mellon fka The Bank Of New York, as
20 Successor Trustee to JPMorgan Chase
21 Bank, N.A., as Trustee, on behalf of the
22 Certificateholders of the CWHEQ Inc.,
23 CWHEQ Revolving Home Equity Loan
24 Trust, Series 2006-H (“BANK”)*

25 Dated 25th day of January 2023

26 /s/ Stephen R. Hanson, Esq.

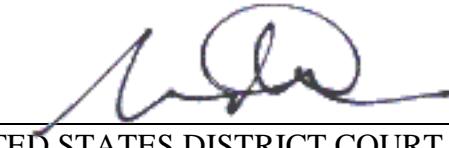
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29 *Attorney for United States on behalf of the
Internal Revenue Service (“IRS”)*

1 National Defaulting Service Corp. v. MAESTAZ
2 Case No. 2:22-cv-01027-MMD-EJY

3 **ORDER**

4 **IT IS SO ORDER.**

5 DATED 30th day of January, 2023

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8 UNITED STATES DISTRICT COURT JUDGE

9 Submitted by:

10 Dated this 27th day of January 2023.

11 MARQUIS AURBACH

12 /s/Cody S. Mounteer, Esq.

13 Cody S. Mounteer, Esq.

14 Nevada Bar No. 11220

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16 Las Vegas, Nevada 89145

17 Attorney for *Belle Esprit Homeowners*

18 Association ("HOA")

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